

MINUTES
TOWN OF GROTON
ZONING BOARD OF APPEALS
APRIL 25, 2018 – 7:00 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 1

Chairman Stebbins called the meeting to order at 7:01 p.m.

I. ROLL CALL

Regular members present: Stebbins, Kravits, Manning, Mencer, Russotto, Fitzgerald

Absent:

Staff present: Zanarini, Hovland

II. PUBLIC HEARINGS-

1. ZBA#18-01 – 84 Route 27; Mystic 84, LLC – Owner; Alan Short – Applicant; for a variance to Section 5.1-3 of the Zoning Regulations allow a legitimate theater for less than 80 persons while maintaining the existing uses approved by variance # 1267. PIN# 271015641416, RU-80 Zone.

The Board reviewed the mailings and found them to be in order.

Alan Short, 216 West 52nd Street, New York, NY 10019, presented his application for a variance to turn a church building located at 84 Route 27 into an 80-person theatre for community plays and musical events. Short stated that the property would not be used for events such as weddings or parties, nor would there be food or alcohol served. Performances would occur year-round.

Twenty-six parking spaces would be necessary for an 80-person theatre per regulations and Short established that there was space for twenty parking spaces at the property. For the additional parking spaces, permission had been granted by Carol Barnes Craig to use the parking lot located at the Old Mystic United Methodist Church, 44 Main Street, Old Mystic, as satellite parking for the theatre for use with a shuttle bus.

The Board questioned how the applicant intended to handle the noise from the building. Short explained that no sound system would be put into the building and shutters will be put up for extra sound buffering.

He stated that the theatre would not be intended to act as a business and that he would be filing for non-profit status. Short felt that if the property doesn't become a theatre it wouldn't thrive and the building would deteriorate.

Manning read the Town of Groton Zoning Board of Appeals Public Hearing Record of Decision #1267 dated January 9, 1985 which allowed two dwelling units in the church. Short did not intend to keep tenants and no one would live at the property.

The hearing was opened and the following people voiced concern about possible noise pollution from the theatre and patrons, infringement of privacy to bordering properties, increased vehicle and pedestrian traffic on an already dangerous road, and issues with the small amount of provided parking which could lead to patrons parking on the street or on lawns.

Penny Costakos, 76 Route 27, Old Mystic
Greg Stone, 58 Route 27, Old Mystic
Gary Schmidt, 55 Route 27, Old Mystic
John Pillar, 1260 River Road, Old Mystic
Christine Sylvester, 1309 River Road, Old Mystic
William Radicioni, 1301 River Road, Old Mystic
Debra Adamson, 36 Shewville Road, Old Mystic
Anita Lighter, 1300 River Road, Old Mystic
Paula Renzi, 1300 River Road, Old Mystic
Michael While, 1309 River Road, Old Mystic

David Atkinson, 1184 River Road, stated he was not opposed to a theatre in the area, but he didn't believe ZBA had authority per Section 8.5-8B of the Zoning Regulations to grant use variances and thought it would be better to give it to the Zoning and Planning Commissions.

Jane Pillar, 1260 River Road, said there is already a luxury theatre in the area that can be rented if the need arise, therefore another theatre would not be necessary.

Charles Pratt, 1288 River Road, said more clarification was needed and had questions regarding when the noise would have to stop, if people would be staying at the property, and who the non-profit would be benefitting.

Bill Turner, Kentford Farm, stated that as a realtor for Stonington and Mystic he would have to disclose the theatre to potential buyers of the neighborhood and that would drop the value of the houses surrounding it.

Manning marked a photo Penny Costakos provided as Exhibit 1 and read aloud letters from Bob Florence, Peter Costakos, and Ethan Gussow opposing the variance. He then read aloud a letter from Carroll Barnes-Craig permitting use of the Methodist Church for satellite parking, and letters from Richard Dixon and Marie Foster supporting the variance. Additionally, Manning read aloud the Planning Commission referral of April 25, 2018.

Chairman Stebbins closed the public hearing at 8:46 pm.

III. CONSIDERATION OF PUBLIC HEARINGS

1. ZBA#18-01- 84 Route 27; Mystic 84, LLC – Owner; Alan Short – Applicant

The Board stated that parking at the property was inadequate for an 80-person theatre. Because people are unlikely to wait for a shuttle bus after a show, the Board voiced concern about the possibility of patrons walking on the roads to get to their vehicles instead, resulting in noise pollution and dangerous circumstances. Additionally, the Board did not find there to be a hardship for a use variance.

MOTION: To approve variance as requested.

Motion made by Russotto, seconded by Manning, so voted 0-4. Variance was denied.

IV. CORRESPONDENCE- None

V. APPROVAL OF MINUTES

1. October 25, 2017

MOTION: To adopt the minutes of October 25, 2017, as written.

Motion made by Russotto, seconded by Mencer, so voted unanimously.

VI. OLD BUSINESS

Staff stated that the court date for the appeal regarding 540 Sandy Hollow Road (ZBA #17-09) is set for May, 2018.

Manning said he would not be attending the next meeting of May 9, 2018.

VII. NEW BUSINESS

1. Election of Officers

The Board decided to postpone the Election of Officers until all members are present.

2. New Applications

a. ZBA#18-02 – 51 Ocean View Avenue – Oberg Residence Addition

VIII. REPORT OF STAFF- None

IX. ADJOURNMENT

Motion to adjourn at 9:06 p.m. made by Russotto, seconded by Mencer, so voted unanimously.

Thomas Manning, Secretary
Zoning Board of Appeals

Prepared by Kara Hovland
Office Assistant II